

U.S. District Court
Northern District of New York – Main Office (Syracuse) [NextGen CM/ECF Release
1.7 (Revision 1.7.1)] (Albany)
CIVIL DOCKET FOR CASE #: 1:22-cv-00843-GTS-CFH

Fabricant v. Clear Sky Local, LLC
Assigned to: Chief Judge Glenn T. Suddaby
Referred to: Magistrate Judge Christian F. Hummel
Cause: 47:227 Restrictions of Use of Telephone Equipment

Date Filed: 08/15/2022
Date Terminated: 11/03/2022
Jury Demand: Plaintiff
Nature of Suit: 485 Telephone Consumer
Protection Act (TCPA)
Jurisdiction: Federal Question

Plaintiff

Terry Fabricant
*on behalf of himself and others similarly
situated,*

represented by **Anthony Paronich**
Paronich Law, P.C.
350 Lincoln St.
Suite 2400
Hingham, MA 02043
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Active
Fee Status: paid_2020

V.

Defendant

Clear Sky Local, LLC

represented by **Paul Sweeney**
Certilman Balin Adler & Hyman, LLP – NY
90 Merrick Ave 9th Fl
East Meadow, NY 11554
516-296-7000
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Fee Status: paid_2022

Email All Attorneys
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Date Filed	#	Docket Text
08/15/2022	<u>1</u>	CLASS ACTION COMPLAINT WITH JURY DEMAND against Clear Sky Local, LLC (Filing fee \$402 receipt number ANYNDC-6000776) filed by Terry Fabricant. (Attachments: # <u>1</u> Civil Cover Sheet)(map) (Entered: 08/16/2022)
08/16/2022	<u>2</u>	Summons Issued as to Clear Sky Local, LLC. (map) (Entered: 08/16/2022)

08/16/2022	<u>3</u>	G.O. 25 FILING ORDER ISSUED: Initial In–Person Rule 16 Conference set for 11/14/2022 at 9:00 AM in Albany before U.S. Magistrate Judge Christian F. Hummel. Civil Case Management Plan must be filed and Mandatory Disclosures are to be exchanged by the parties on or before 11/7/2022. (Pursuant to Local Rule 26.2, mandatory disclosures are to be exchanged among the parties but are NOT to be filed with the Court.) (map) (Entered: 08/16/2022)
08/23/2022	<u>4</u>	SUMMONS Returned Executed by Terry Fabricant. Clear Sky Local, LLC served on 8/19/2022, answer due 9/9/2022. (Paronich, Anthony) (Entered: 08/23/2022)
09/09/2022	<u>5</u>	NOTICE of Appearance by Paul Sweeney on behalf of Clear Sky Local, LLC (Sweeney, Paul) (Entered: 09/09/2022)
09/09/2022	<u>6</u>	First MOTION for Extension of Time to File Answer re <u>1</u> Complaint <i>to and including 10/11/2022</i> filed by Clear Sky Local, LLC. Response to Motion due by 9/30/2022 Motions referred to Christian F. Hummel. (Sweeney, Paul) (Entered: 09/09/2022)
09/09/2022	<u>7</u>	AMENDED NOTICE of Attorney Appearance filed by Clear Sky Local, LLC. Amendment to <u>5</u> Notice of Appearance . (Sweeney, Paul) Clerk modified docket text on 9/9/2022 to reflect accurate event type. (map) (Entered: 09/09/2022)
09/12/2022	<u>8</u>	TEXT ORDER granting <u>6</u> First MOTION for Extension of Time to File Answer re <u>1</u> Complaint <i>to and including 10/11/2022</i> : Clear Sky Local, LLC answer due 10/11/2022. Authorized by Magistrate Judge Christian F. Hummel on 9/12/2022. (tab) (Entered: 09/12/2022)
10/25/2022	<u>9</u>	TEXT ORDER: On August 23, 2022, Plaintiffs filed Proof of Service of the Summons and Complaint upon Defendant in this matter. Dkt. No. <u>4</u> . On September 9, 2022, a Notice of Attorney Appearance was filed on behalf of Defendant. Dkt. No. <u>5</u> . On that date a request for an extension of time to answer was requested and Granted, Dkt. no. <u>6</u> . The time for Defendant to file an answer or otherwise respond to the Complaint has expired. Plaintiff is directed to advise as to the status of this action by November 8, 2022. SO ORDERED. Authorized by Magistrate Judge Christian F. Hummel on 10/25/2022. (tab) (Entered: 10/25/2022)
10/25/2022	<u>10</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint filed by Clear Sky Local, LLC. Response to Motion due by 11/15/2022 (Attachments: # <u>1</u> Exhibit(s) A– Stipulation & (Proposed) Order to Transfer Venue) Motions referred to Christian F. Hummel. (Sweeney, Paul) (Entered: 10/25/2022)
11/03/2022	<u>11</u>	STIPULATION AND ORDER: the time in which defendant CLEAR SKY LOCAL, LLC has to serve an answer, move or appear in the above–entitled action is hereby extended to and including twenty (20) days from the time in which the Court grants or denies the parties joint request to transfer venue. Signed by Magistrate Judge Christian F. Hummel on 11/3/2022. (tab) (Entered: 11/03/2022)
11/03/2022	<u>12</u>	ORDER APPROVING STIPULATION AND TRANSFERRING CASE to the Eastern District of New York. As parties have stipulated to the transfer to the Eastern District of New York, the NYND Local Rule 3.7 directing a 14 day waiting period, is waived. Signed by Magistrate Judge Christian F. Hummel on 11/3/2022. (tab) (Entered: 11/03/2022)